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Dept.: E/M

By: GJM/RFC/jmp

OSMM&N File No. 201413US2PCT

Serial No. 09/720,789

In the matter of the Application of: Takashi MIYACHI

For: SCANNING EXPOSURE METHOD, SCANNING EXPOSURE APPARATUS  
AND MAKING METHOD THEREOF, AND DEVICE AND DEVICE  
MANUFACTURING METHOD

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ Dep. Acct. Order Form
- ☒ Cover Letter
- ☒ Petition under 37 CFR 1.181(a)(3)
- ☒ Copy of Filed IDS



COPY



Docket No.: 201413US-2 PCT  
Date Allowed: 07/15/03

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

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Re: Group Art Unit: 2851  
Serial No.: 09/720,789  
Filed: DECEMBER 29, 2000  
Applicant: TAKASHI MIYACHI  
For: SCANNING EXPOSURE METHOD, SCANNING  
EXPOSURE APPARATUS AND MAKING  
METHOD FOR PRODUCING THE SAME,...

Attached hereto for filing are the following papers:

**PETITION UNDER 37 CFR §1.181(a)(3)**  
**COPY OF FILED IDS**

Our check in the amount of \$ - 0 - is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

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Registration No. 25,599  
Attorney of Record  
Raymond F. Cardillo, Jr.  
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201413US-2 PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: : DATE ALLOWED: 07/15/03  
TAKASHI MIYACHI : GROUP UNIT: 2851  
SERIAL NO: 09/720,789 :  
FILED: DECEMBER 29, 2000 : EXAMINER: NGUYEN, H.  
FOR: SCANNING EXPOSURE METHOD, :  
SCANNING EXPOSURE APPARATUS  
AND MAKING METHOD FOR...

**PETITION UNDER 37 CFR §1.181(a)(3)**

COMMISSIONER FOR PATENTS  
Alexandria, Virginia 22313

SIR:

This is a Petition pursuant to 37 CFR §1.181(a)(3) requesting that the examiner be provided the Application file in order to supply Applicants a copy of the below noted Form PTO-1449 that indicates consideration of the reference listed thereon.

**STATEMENT OF FACTS**

On July 7, 2003, Information Disclosure Statement (IDS) papers were filed that included a Form PTO-1449 listing U.S. Patent No. 5,920,398 as documented by the attached copy of these IDS papers including the Form PTO-1449 and the associated date-stamped mail room filing receipt.

Upon review of this Application after the allowance thereof, it was noted that there was no indication of receipt or consideration of these IDS papers including the Form PTO

COPY

Appln. No. 09/720,789  
Docket No. 201413US-2 PCT

1449 listed U.S. Patent No. 5,920,398. Accordingly, the Examiner was called on July 31, 2003, to ask for a copy of the Form PTO-1449 that showed receipt and proper consideration of listed U.S. Patent No. 5,920,398. The Examiner indicated that nothing could be done without the application file and that the application file was presently unavailable.

ACTION REQUESTED

It is respectfully requested that the Examiner be supplied with the application file so that he can provide Applicants a copy of the above-noted Form PTO-1449 indicating proper consideration of the listed reference.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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OSMM&N File No. 201413US2PCT

Dept.: E/M

By: GJM/RFC/jmo

Serial No. 09/720,789

In the matter of the Application of: Takashi MIYACHI

For: SCANNING EXPOSURE METHOD, SCANNING EXPOSURE APPARATUS...

Due Date: 07/07/03

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ Check for \$180.00
- ☒ Dep. Acct. Order Form
- ☒ Information Disclosure Statement
- ☒ PTO-1449
- ☒ Cited Reference (1)



COPY

Docket No. 201413US-2 PCT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: TAKASHI MIYACHI

SERIAL NO: 09/720,789

GAU: 2851

FILED: DECEMBER 29, 2000

EXAMINER: NGUYEN, H.

FOR: SCANNING EXPOSURE METHOD, SCANNING EXPOSURE APPARATUS...

INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the reference listed on the attached form PTO-1449. Copy of the listed reference is attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

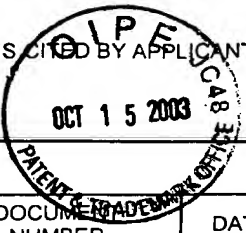


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Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 201413US-2 PCT		SERIAL NO. 09/720,789	
LIST OF REFERENCES CITED BY APPLICANT <div style="text-align: center; margin-top: 20px;">  </div>				APPLICANT TAKASHI MIYACHI			
				FILING DATE 12/29/00		GROUP 2851	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,920,398	07/06/99	Iwanaga et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES                  NO		
	AO						
	AP						
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
<b>OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)</b>							
	AW						
	AX						
	AY						
	AZ						
Examiner					Date Considered		

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COPY